

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: January 21-22, 2004

Reference No.: 2.4b.  
Action Item

From: ROBERT L. GARCIA  
Chief Financial Officer

Prepared by: Brice D. Paris  
Division Chief  
Right of Way

Ref: **RESOLUTIONS OF NECESSITY**

## **ISSUE:**

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends the California Transportation Commission adopt Resolutions of Necessity C-18881 through C-18889. Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-18881 - Irma Yolanda Hernandez Rodriguez, et vir

01-Hum-101-PM 78.9/79.4-Parcel 11187-1,2 - EA: 330459 - Certification Date: 03/01/04 - RTL Date: 03/01/04 - (Conventional highway - realign, channelize and install signals). Authorizes condemnation of land in fee for a State highway, and a temporary construction easement. Located in the city of Eureka at 1718 4th Street.

C-18882 - Donald A. Davenport, et al.

01-Hum-101-PM 78.9/79.4 - KP 127.0/127.8-Parcel 11280-1,2,3 - EA: 330459 - Certification Date: 03/01/04 - RTL Date: 03/01/04 - (Conventional highway - realign, channelize and install signals). Authorizes condemnation of land in fee for a State highway, a permanent easement, and a temporary construction easement. Located in the city of Eureka at 1709 Fifth Street.

C-18883 - Nino Masellis, et ux

10-SJ-120-KP 11.0-Parcel 14843-1,2,A - EA: 0A7509 - Certification Date: 03/01/04 - RTL Date: 03/01/04 - (Conventional highway - install traffic signals and improve intersection geometrics.). Authorizes condemnation of land in fee for a State highway, and a temporary construction easement. Located in San Joaquin County, in and near Manteca from 0.3 KM west to 02. KM east of Austin Road.

C-18884 - Michael E. Henry, et ux

10-SJ-120-KP 11.0-Parcel 14844 - EA: 0A7509 - Certification Date: 03/01/04 - RTL Date: 03/01/04 (Conventional highway - install traffic signals and improve intersection geometrics.). Authorizes condemnation of land in fee for a State highway. Located in San Joaquin County, in and near the city of Manteca from 0.3 KM west to 0.2 KM east of Austin Road..

C-18885 - Joannis Volakakis

10-SJ-120-KP 10.8-Parcel 14848-1,2, A - EA: 0A7509 - Certification Date: 3/1/04 - RTL Date: 03/01/04 - (Conventional highway - install traffic signals and improve intersection geometrics). Authorizes condemnation of land in fee for a State highway, and a temporary construction easement. Located in San Joaquin County, near the city of Manteca, at 2176 East Yosemite Avenue.

C-18886 - Carlos Vital

11-SD-125-KP 13.1-Parcel 32054-A,B - EA: 232309 - Certification Date: 06/20/03 - (Toll Road/Freeway - construct new alignment). Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and land in fee which is a remnant and would have little market value. Located in the unincorporated area of San Diego near Proctor Valley Road, in the Haley Subdivison, Lot 36.

C-18887 - Joseph A. Huff; Clara M. Langevin, et al.

11-SD-125-KP 12.9-Parcel 32069-A,B - EA: 232309 - Certification Date: 06/20/03 - (Toll Road/Freeway - construct new alignment). Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and land in fee which is a remnant and would

have little market value. Located in the unincorporated area of San Diego near Proctor Valley Road, Haley Subdivision Lot 43.

C-18888 - Gerald Russell Pamp; Georgia R. Sparks; Kaye F. Roberts

11-SD-125-KP 12.9-Parcel 32071-A, B - EA: 232309 - Certification Date: 06/20/03 - (Toll Road/Freeway - construct new alignment). Authorizes condemnation of land in fee for a State highway and extinguishment of abutter's rights of access and land in fee which is a remnant and would have little market value. Located in the unincorporated area of the County of San Diego near the city of Chula Vista at Lot 26 of Haley's Addition, south of Proctor Valley Road.

C-18889 - Hillsborough Greens Homeowners Association

11-San Diego-125-KP 8.9-Parcel 32158-1,2 - EA: 003009 - Certification Date: 06/20/03 - (Toll Road/Freeway - construct new alignment and interchange connectors). Authorizes condemnation of land in fee for a State highway and extinguishment of abutter's rights of access. Located in the city of San Diego near the N.S. SR 54, south of Manzana and Westbrook .